

Boxley, Kayla

From: Boxley, Kayla
Sent: Tuesday, September 19, 2017 5:03 PM
To: 'Tessa Dee'
Cc: Bray, Teresa; Krebs, Shantel
Subject: RE: [EXT] Scan from Copier

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S.D. SEC. OF STATE

Tessa:

Thank you for your raffle request. In speaking with the Attorney General's office, the law for a raffle request is very clear that an organization needs to send a letter for intent for a raffle 30 days in advance. Unfortunately, the dates you refer to in your letter does not meet the law's requirements. Below is the statute we are referring to in regards to the 30 day notice.

22-25-25. Bingo and lotteries permitted for restricted purposes--Conditions. The game, bingo, as defined in § 22-25-23, or lottery, as defined in § 22-25-24, may not be construed as gambling or as a lottery within the meaning of § 22-25-1, if:

- (1) The bingo game or lottery is conducted by a bona fide congressionally chartered veterans' organization; a religious, charitable, educational, or fraternal organization; a local civic or service club; a political party; a volunteer fire department; a local industrial development corporation as defined in § 5-14-23; or a political action committee or political committee on behalf of any candidate for a political office which exists under the laws of the State of South Dakota;
- (2) The proceeds therefrom do not inure to the benefit of any individual;
- (3) No separate organization or professional person is employed to conduct the bingo game or lottery or assist therein;
- (4) No compensation of any kind in excess of the state minimum wage per hour or sixty dollars, whichever is greater, in value is paid to any person for services rendered during any bingo session in connection with the conduct of the bingo game or in consideration of any lottery. However, the provisions of this subdivision do not apply to games or lotteries conducted in connection with any of the following events: a county fair conducted pursuant to § 7-27-3, the state fair conducted pursuant to chapter 1-21, or a civic celebration recognized by resolution or other similar official action of the governing body of a county, municipality, or village;
- (5) No prize in excess of two thousand dollars is awarded at any one play of bingo;
- (5A) The actual value of any lottery prize is stated before any chances for the lottery are sold. A lottery prize of a stated amount of dollars in value may be given to a person who sells a winning lottery ticket or share as long as the winning lottery ticket or share is selected at random;

(6) The organizations authorized under subdivision (1) of this section, before conducting a bingo game or before selling any chances for a lottery give thirty days' written notice of the time and place thereof to the governing body or designated administrative official of the county or municipality in which it intends to conduct the bingo game or lottery, and the governing body does not pass a resolution objecting thereto. However, any organization that conducts a lottery and tickets or shares for such lottery are sold state-wide shall provide written notice of such lottery pursuant to this subdivision only to the secretary of state and to the governing body where the drawing for such lottery is held. A municipality pursuant to § 9-29-5 may by ordinance prohibit within the municipality the sale of lottery tickets or shares for such lottery issued pursuant to this section; and

(7) No organization authorized to conduct a bingo game or lottery under subdivision (1) of this section may enter into any lease or agreement with any other person or organization to provide equipment or services associated with the conduct of a bingo game or lottery. However, this subdivision does not apply to any lease or agreement with a distributor licensed pursuant to §§ 22-25-28 to 22-25-51, inclusive, to provide bingo or lottery equipment and supplies.

Your other option is to conduct a silent auction.

Please let us know if there is anything else we may do to assist you.

Thank you,
Kayla

Kayla Boxley
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Pistol Permit Administrator/Notary Administrator
Lobbyist Administrator/Administrative Assistant
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-----Original Message-----

From: Tessa Dee [mailto:tessa.dee@lifescapesd.org]

Sent: Tuesday, September 19, 2017 4:52 PM

To: Boxley, Kayla

Cc: Krebs, Shantel

Subject: FW: [EXT] Scan from Copier

Hello!

My name is Tessa Dee and I am the Development Associate at the LifeScape Foundation. Thank you for answering my questions about submitting a raffle request.

Attached you'll find our raffle request letter for our upcoming raffle we would like to have. The date of the drawing will be October 15, 2017 at our annual Pancake Benefit, which benefits South Dakota children and adults with disabilities. We would have had the request in sooner, but it was a last minute raffle. We think it will be a great addition to our event, and truly help us raise more money to help those we serve.

We are willing to change our date to start selling tickets, but would love to have the tickets able to be sold before the event on October 15th, and the drawing on the day of the event.

Thank you for your consideration, please contact me with further questions or concerns. We hope to hear from you soon!

Tessa Dee
Development Associate
LifeScape Foundation
2501 W 26th St
Sioux Falls, SD 57105
605-444-9808
www.LifeScapeSD.org

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& School Foundation and South
Dakota Achieve Foundation

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S.D. SEC. OF STATE

September 15, 2017

Secretary of State
Capitol Building
500 East Capitol Avenue Ste 204
Pierre, SD 57501-5070
email: clerks@siouxfalls.org

Dear Secretary of State's Office:

The following organization is stating its intent to conduct a raffle within the state of South Dakota.

Name of the Organization:	<u>LifeScape</u>
Start Date—Ticket Sales:	<u>9/19/17</u>
End Date—Ticket Sales:	<u>10/15/17</u>
Cost of the Tickets:	<u>\$10 each or 3 for \$20</u>
List of Prizes and Approximate Value: (if multiple prizes/value, you may attach a separate listing)	<u>4-man 1-day pheasant hunt with Dakota Plains Hunting in Wagner, SD valued at \$1000</u>
Proceeds Used For:	<u>Support of children & adults with disabilities in South Dakota</u>

Please present this information to the Secretary of State's Office for administrative approval.

Sincerely,

Name:	<u>Tessa Dee</u>
Title:	<u>Development Associate</u>
Address:	<u>2011 W 26th St, Ste 201</u>
City, State, Zip:	<u>Sioux Falls, SD 57105-2511</u>
Telephone Number:	<u>605-444-9808</u>
Email Address:	<u>tessa.dee@lifescapesd.org</u>